



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PROBATION OFFICE**

**Report on Offender Under Supervision
and/or
Petition for Warrant or Summons
with Attached Request for
Court Action Direction Detailing Probable Cause**

Offender: Bickham, Dennis

Docket Number: 7:08CR39(SCR)

Sentencing Judge: Honorable Stephen C. Robinson, U.S. District Judge

Date of Original Sentence: November 19, 2002

Original Offense: Conspiracy to Commit Offenses Against the United States(18 USC 371)

Original Sentence: Sixty(60) months imprisonment, three(3) years supervised release, \$100.00 assessment and restitution in amount of \$77,418.69.

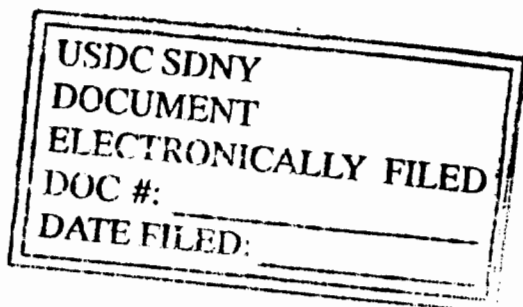
Type of Supervision: Supervised Release Date Supervision Commenced: November 20, 2007

NON-COMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

Nature of Noncompliance

- 1 **ON OR ABOUT JANUARY 22, 2008 THE RELEASEE ILLEGALLY POSSESSED A CONTROLLED SUBSTANCE, TO WIT, AN UNKNOWN AMOUNT OF COCAINE. MANDATED CONDITION, MANDATORY REVOCATION, GRADE C VIOLATION.**
- 2 **ON OR BEFORE JANUARY 22, 2008, THE RELEASEE USED A CONTROLLED SUBSTANCE, TO WIT, AN UNKNOWN AMOUNT OF COCAINE. MANDATED CONDITION, MANDATORY REVOCATION, GRADE C VIOLATION.**



Title 18 U.S.C. 3565 (b) and 3583(g) have been amended by way of Public Law 107-273, Section 2103. Effective November 2, 2002, testing positive for illegal substances more than three times over the course of one year requires mandatory revocation of the supervision term. The amendment leaves undisturbed the provisions of 18 U.S.C. §§ 3563(e) and 3583(d) that allow the court to consider “whether the availability of appropriate substance abuse treatment programs, or an individual’s current or past participation in such programs, warrants an exception in accordance with United States Sentencing Commission guidelines from the rule of sections 3565(b) and 3583(g) when considering any action against a defendant who fails a drug test.” This appears to allow the court to consider treatment in lieu of revocation.

U.S. PROBATION OFFICER ACTION

Subsequent to Bickham’s cocaine use, we increased his reporting schedule and urine testing as well. Bickham was also referred to Narcotics Anonymous(NA) in Monticello, NY. All subsequent urine tests have been negative for the presence of illicit substances.

SUMMARY OF COMPLIANCE WITH SUPERVISION CONDITIONS

Bickham began his three year term of supervised release on November 20, 2007. He has maintained a stable residence with his mother and sister in Monticello, New York. He is also serving a New York State parole term and is currently in compliance with the conditions of that supervision term. Due to the lack of available and verifiable employment opportunities in Sullivan County, Bickham only recently secured employment. Furthermore, due to his employment status, Bickham has been unable to make regular payments toward his restitution obligation. He has otherwise reported as directed and has not been arrested for any new criminal behavior. Finally, all monthly supervision reports have been submitted to the probation office in a timely manner.

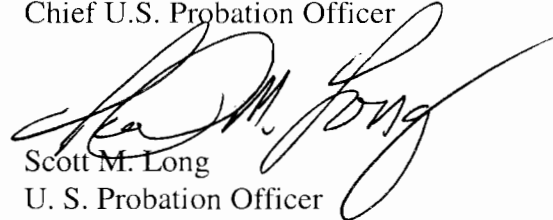
RECOMMENDATION AND JUSTIFICATION

Noting that Bickham is now in compliance with the conditions of supervision, we respectfully recommend that he be continued on supervision and that he also attend the NA program on a weekly basis. We will also continue increased urine testing and ensure Bickham makes regular restitution payments now that he is working full-time. Finally, the Probation Officer apologizes to the court for the delay in reporting this non-compliance as the undersigned officer was distracted by a family illness the first three months of this year and ultimately a death of an immediate family member.

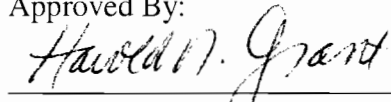
I declare under penalty of perjury that the foregoing is true and correct. (Supporting documentation is attached)

Respectfully submitted,

Chris J. Stanton
Chief U.S. Probation Officer


Scott M. Long
U. S. Probation Officer
(845)344-2789, ext. 6

Approved By:

 5/31/08

Harold N. Grant Date
Supervising U. S. Probation Officer



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PROBATION OFFICE**

Judicial Response

☒ Court approves U.S. Probation Officer's recommendation

or

THE COURT ORDERS:

☐ The Issuance of a Summons

The Offender is directed to appear as follows:

Date: _____

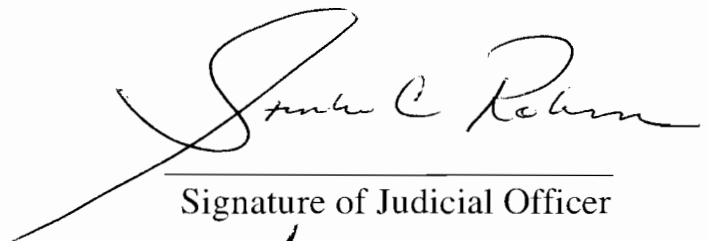
Time: _____

Place: _____

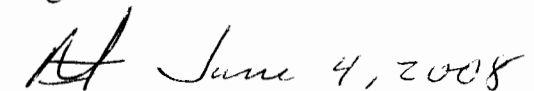
☐ The Issuance of a Warrant

☐ Submit a Request for Modifying the Condition or Term of Supervision

☐ Other



Signature of Judicial Officer



Date